

In The United States District Court for  
The Western District of Virginia  
Charlottesville Division  
Sines, et al., Plaintiffs vs.  
Kessler, et al., Defendants  
Civil Action 3:17-cv-00072

Sworn Declaration of Christopher  
Cantwell Dated 2-7-2022

I, Christopher Cantwell, do aver under  
penalty of perjury on this 7th day  
of February that the following is true  
and correct.

- 1.) On 1-25-2022 Mr. Simpkins allowed  
me to access my documents from  
about 12:20pm until about 2:20pm.
- 2.) On the commissary order I placed  
for 1-21-2022 I requested a typing  
wheel and correction tape. Neither  
of which were available per the  
receipt provided on 1-25-2022.
- 3.) On 1-26-2022 Mr. Simpkins summoned  
me for a call with my public  
defender shortly after 10:00am. After  
this call I asked Mr. Simpkins about  
my documents. He said he would  
return with them that afternoon after  
an outside agency came to inspect  
the facility.
- 4.) The next time I saw Mr. Simpkins after  
the inspection he was talking to two other  
staff members and did not have my documents,

visibly within reach, so I nodded to acknowledge him but did not otherwise interrupt him. I did not see Mr. Simpkins again ~~on~~ on 1-26-2022.

5.) On ~~1-27-2022~~ 1-27-2022 I saw Mr. Simpkins for the first time at 3:45 pm. I asked him about my documents, and he said he would bring them to the unit the following Monday.

6.) On 1-28-2022 at mail call, I was given a form BP-A0328, dated 1-11-2022, by Ms. Hill. The form stated that the correspondence contained stamps, which would be returned to the sender, but that the letter would be given to me. No letter was provided, and I have no other correspondence from this sender.

7.) Having not yet gotten an answer why my contact with Plaintiff's counsel was blocked by the BOP, I asked Ms. Hill about the issue again on 1-31-2022 at mail call. She claims Mr. Bloch blocked the phone number. I explained that the 712 number was for the firm Kaplan + Hecker, and that, in any case, the BOP still hadn't approved my postal contact for Roberta Kaplan. She said "I'll look into it" - a familiar theme, peppered throughout this months long game of time wasting.

8.) On 1-31-2022 I overheard another inmate say Mr. Simpkins was on the unit at about 1:00pm. I found Mr. Simpkins and he said "I forgot your stuff". He indicated I'd have access to my documents the next day.

9.) On 1-31-2022 the entire federal prison system was put on lockdown due to a murder in Texas.

10.) On 2-1-2022 I saw Mr. Simpkins when he came to my cell for mail call at 2:20 pm. He said I would not be able to access my documents during the lockdown.

11.) During the lockdown we have no access to phones, typewriters, law library, electronic messaging, or our contacts.

12.) On 2-1-2022 Mr. Simpkins said the lockdown should end the next day, and that he would bring my documents then.

13.) On 2-2-2022 the lockdown did not end. My cell door never opened. Mr. Simpkins did not bring my documents.

14.) On 2-3-2022 the lockdown continued, and Mr. Simpkins did not bring my documents.

15.) Mr. Simpkins does not typically ~~work~~ work Friday, Saturday, or Sunday, and accordingly, I did not see him on February 4, 5, or 6.

16.) Though I have sought to purchase one on nearly every commissary order I've placed while at USP Marion, I have not been able to purchase a flipping wheel as of the morning of February, 7<sup>th</sup> 2022, the day post trial motions are currently due.

17.) USP Marion remains locked down as of the signing of this document at 9:30am 2-7-2022

Having so averred, I sayeth no more under oath

Respectfully Submitted

Christopher Cantarell

2-7-2022

